

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ATLANTIC RECORDING
CORPORATION, et al.,

Plaintiffs,

Case No. 06-CV-10297

vs.

HON. GEORGE CARAM STEEH

GEORGE BLAND,

Defendant.

_____/

ORDER GRANTING MOTION TO SET ASIDE ENTRY OF DEFAULT, ALLOWING
EXTENSION OF TIME FOR SERVICE, AND ALLOWING SPECIFIED ALTERNATE
SERVICE (D/E # 16)

Plaintiffs have filed a motion, requesting that the court set aside a clerk's entry of default entered November 27, 2006, for the reason that service in the case was ultimately effected after the deadline for service had passed, and allow an extension of time in which to serve the defendant by alternate service. Plaintiffs request an additional 60 days to accomplish this.

The court will grant plaintiffs' motion; however, service must be effected on or before **February 28, 2007**, or the case will be dismissed without prejudice.

Concerning the request for alternate service by publication, plaintiffs assert their belief that defendant is avoiding service, having attempted personal service numerous times via third party process server. However, the court notes that the defective service referenced above was effected by leaving a copy of the complaint with an "adult male of

suitable age and discretion at Defendant's residence." Therefore, service solely through publication appears inappropriate. The court hereby orders that plaintiffs again confirm the address of the defendant, and, if confirmed by the post office, service may be effected by the date noted above, in the following manner: posting on the door of plaintiff's residence; regular first class mail to that address; and publication. Proof of the above will be required prior to the court's entry of judgment by default, if such is requested.

IT IS SO ORDERED.

Dated: January 9, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 9, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk